

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

FREEDOM WIRELESS, INC.,

Plaintiff,

v.

BOSTON COMMUNICATIONS GROUP,
INC., et. al

Defendants.

Civil Action No. 00-12234-EFH

**STIPULATION OF DISMISSAL OF CERTAIN CLAIMS WITH PREJUDICE
AND ALL OTHER CLAIMS WITHOUT PREJUDICE**

Pursuant to Fed. R. Civ. P. 41(a)(1), plaintiff Freedom Wireless, Inc. and defendants Boston Communications Group, Inc., AT&T Wireless PCS, Cingular Wireless LLC, CMT Partners, and Western Wireless Corp. (collectively, the "Parties") hereby stipulate and agree to the dismissal with prejudice of only the following claims: (1) all claims by Freedom Wireless, Inc. against Boston Communications, Inc. and all counterclaims by Boston Communications Group, Inc. against Freedom Wireless, Inc. and (2) all claims by Freedom Wireless against defendants that are based on any prepaid wireless system or service provided by defendant Boston Communications Group, Inc.; each party to bear its own costs and attorneys' fees and waiving all rights of appeal.

The Parties hereby further stipulate and agree to the dismissal without prejudice of any and all other claims and counterclaims that were or could have been brought by Freedom Wireless, Inc. or by any defendant, including any and all claims by Freedom Wireless, Inc. based on any prepaid wireless system or service not provided by defendant Boston Communications

Group, Inc., and any and all counterclaims by defendants, including counterclaims of invalidity and unenforceability; each party to bear its own costs and attorneys' fees and waiving all rights of appeal.

A representative of each of the Parties has signed this Stipulation.

Respectfully submitted,
FREEDOM WIRELESS, INC.
By its attorneys,

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AT&T WIRELESS PCS, CINGULAR WIRELESS
LLC, AND CMT PARTNERS (d/b/a Cellular One
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By their attorneys,

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Dated: October 17, 2006

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on October 17, 2006.

/s/ Dean G. Bostock